

#3/5/2001
9-26-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: L. Pernille Olesen and Mogens N. Olesen
Title: MINIATURE ROSE VARIETY 'POULymp'
Serial #: 09/607,327
Date filed: 30 June, 2000
Art Unit: 1661
Date: 5 September, 2001



INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Submitted herewith on form PTO-1449 is a listing of documents known to Applicants in order to comply with Applicant's duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.97 and §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in response to a Requirement for Information Under 37 CFR §1.105 dated 8 February, 2001.

FIRST DATE OF SALE OF THE VARIETY


The first date of sale of plant material of POULymp occurred on 1 October, 1999.

CERTIFICATION AND FEE:

The examiner has waived the certification and fee requirements set forth in 37 CFR §1.97 for those documents submitted in accordance with the reply to the Requirement for Information Under 37 CFR §1.105 dated 8 February, 2001.



Respectfully submitted,

By 
Mogens N. Olesen
Poulsen Roser ApS.

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RESPONSE TO REQUIREMENT FOR INFORMATION UNDER 37 CFR §1.105

Commissioner for Patents
Washington, D.C. 20231

Sir:

Information material to the patentability of the variety is listed in the enclosed Information Disclosure Statement, submitted herewith pursuant to 37 CFR §1.97.

The examiner has waived the fee and certification requirements set forth in 37 CFR §1.97 for those documents submitted in accordance with this reply.

Respectfully submitted,

Date

5 Sept 2001

By



Mogens N. Olesen, President
Poulsen Roser ApS

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PTO/SB/08B (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U. S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449B/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 1

Complete if Known

| | |
|------------------------|--------------------|
| Application Number | 09/607,327 |
| Filing Date | 6/30/2000 |
| First Named Inventor | L. Pernille Olesen |
| Group Art Unit | 1661 |
| Examiner Name | S. McCormick |
| Attorney Docket Number | |

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

| Examiner Initials | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
|-------------------|-----------------------|---|----------------|
| | | COMMUNITY PLANT VARIETY OFFICE "Proposal for a Variety Denomination" 01/26/1999 EU 2 pages | |
| | | COMMUNITY PLANT VARIETY OFFICE "UPOV Extract" EU 4 pages. | |
| | | COMMUNITY PLANT VARIETY OFFICE "Chapter II: Variety Denominations" 4/15/1999 2 pages. | |
| | | COMMUNITY PLANT VARIETY OFFICE "Certificate On The Grant..." 6/19/2000 6 pages. | |
| | | CANADIAN FOOD INSPECTION AGENCY "Applications Accepted for Filing" 1/99 Canada 1 page. | |
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Examiner
Signature

Date
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U. S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.